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**DECLARATION - USA PATENT APPLICATION**

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name;

I believe I am an original, first and joint inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled **STRUCTURALLY OPTIMIZED HOLLOW FIBER MEMBRANCES**; the specification of which is attached hereto;

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above;

I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, § 1.56;

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful, false statements may jeopardize the validity of the application or any patent issued thereon.

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Full name of first inventor: **Reynolds G. Gorsuch**

Inventor's signature 

Date 2/18/04

Residence: **1119 State Lane, Yountville, CA 94599**

Citizenship: **USA**

Full name of inventor: **Harold W. Peters**

Inventor's signature 

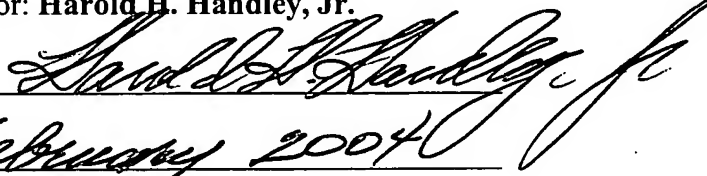
Date 2/18/04

Residence: **282 Pebble Creek Court, Martinez, CA 94553**

Citizenship: **USA**

Full name of inventor: **Harold H. Handley, Jr.**

Inventor's signature



Date

18 February 2004

Residence: **53 Flicker Drive, Novato, CA 94949**

Citizenship: **USA**

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Send Correspondence To:

**KNOBBE, MARTENS, OLSON & BEAR, LLP**

**Customer No. 20,995**

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## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant	:	Reynolds G. Gorsuch, et al.	)
			)
App. No.	:	filed herewith	)
			)
Filed	:	filed herewith	)
			)
For	:	STRUCTURALLY OPTIMIZED	)
		HOLLOW FIBER MEMBRANES	)
			)
Examiner	:	Unknown	)
			)

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ESTABLISHMENT OF RIGHT OF ASSIGNEE TO TAKE ACTION  
AND  
REVOCATION AND POWER OF ATTORNEY

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

The undersigned is empowered to act on behalf of the assignee below (the "Assignee"). A true copy of the original Assignment of the above-captioned application from the inventor(s) to the Assignee is attached hereto. This Assignment represents the entire chain of title of this invention from the Inventor(s) to the Assignee.

I declare that all statements made herein are true, and that all statements made upon information and belief are believed to be true, and further, that these statements were made with the knowledge that willful, false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. § 1001, and that willful, false statements may jeopardize the validity of the application, or any patent issuing thereon.

The undersigned revokes previous powers of attorney in the subject application, and appoints Jerry R. Seiler, Reg. No. 23,051 and the registrants of Knobbe, Martens, Olson & Bear, LLP, 2040 Main St., Fourteenth Floor, Irvine, California 92614, Tel. (949) 760-0404, **Customer No. 20,995**, as its attorneys with full power of substitution and revocation to prosecute this

**App. No.** : filed herewith  
**Filed** : filed herewith

application and to transact all business in the U.S. Patent and Trademark Office connected herewith. This appointment is to be to the exclusion of the inventor(s) and his attorney(s) in accordance with the provisions of 37 C.F.R. § 3.71.

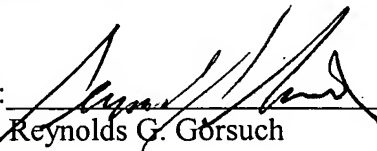
Please use **Customer No. 20,995** for all communications.

Transvivo Inc.

Dated: \_\_\_\_\_

2/19/04

By: \_\_\_\_\_



Reynolds G. Gorsuch

Title: President

Address: 1100 Lincoln Avenue, Suite 108  
Napa, CA 94558

PA-75  
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Application No.: Unknown  
Filing Date: Herewith

Client Code: TRANSVI.017A  
Page 1

### ASSIGNMENT

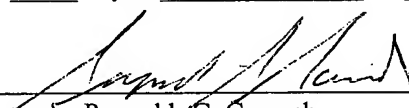
WHEREAS, We, Reynolds G. Gorsuch, a United States citizen, residing at 1119 State Lane, Yountville, CA 94599, Harold W. Peters, a United States citizen, residing at 282 Pebble Creek Court, Martinez, CA 94553, and Harold H. Handley, Jr., a United States citizen, residing at 53 Flicker Drive, Novato, CA 94949 have invented certain new and useful improvements in a STRUCTURALLY OPTIMIZED HOLLOW FIBER MEMBRANES for which we have executed an application for Letters Patent in the United States, on even date herewith;

AND WHEREAS, Transvivo, Inc. (hereinafter "ASSIGNEE"), a California Corporation, with its principal place of business at 1100 Lincoln Avenue, Suite 206, Napa, CA 94558, desires to acquire the entire right, title, and interest in and to the said improvements and the said Application:

NOW, THEREFORE, in consideration of the sum of One Dollar (\$1.00) to me in hand paid, and other good and valuable consideration, the receipt of which is hereby acknowledged, I, the said inventor, do hereby acknowledge that I have sold, assigned, transferred and set over, and by these presents do hereby sell, assign, transfer and set over, unto the said ASSIGNEE, his successors, legal representatives and assigns, the entire right, title, and interest throughout the world in, to and under the said improvements, and the said application and all divisions, renewals and continuations thereof, and all Letters Patent of the United States which may be granted thereon and all reissues and extensions thereof, and all rights of priority under International Conventions and applications for Letters Patent which may hereafter be filed for said improvements in any country or countries foreign to the United States, and all Letters Patent which may be granted for said improvements in any country or countries foreign to the United States and all extensions, renewals and reissues thereof; and I hereby authorize and request the Commissioner of Patents of the United States, and any Official of any country or countries foreign to the United States, whose duty it is to issue patents on applications as aforesaid, to issue all Letters Patent for said improvements to the said ASSIGNEE, his successors, legal representatives and assigns, in accordance with the terms of this instrument.

AND WE HEREBY covenant and agree that we will communicate to the said ASSIGNEE, his successors, legal representatives and assigns, any facts known to me respecting said improvements, and testify in any legal proceeding, sign all lawful papers, execute all divisional, continuing and reissue applications, make all rightful oaths and generally do everything possible to aid the said ASSIGNEE, his successors, legal representatives and assigns, to obtain and enforce proper patent protection for said improvements in all countries.

IN TESTIMONY WHEREOF, I hereunto set my hand and seal this 18 day of Feb, 2004.

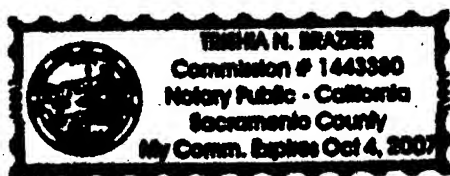
  
Reynolds G. Gorsuch

STATE OF California }  
COUNTY OF Contra Costa } ss.

On 2-18-04, before me, Trishia N. Brazier, personally appeared Reynolds G. Gorsuch personally known to me (or proved to me on the basis of satisfactory evidence) to be the person~~(s)~~ whose name~~(s)~~ is/~~are~~ subscribed to the within instrument, and acknowledged to me that he executed the same in his authorized capacity~~(ies)~~, and that by his signature~~(s)~~ on the instrument the person~~(s)~~, or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

[SEAL]



  
Notary Signature

**COPY  
DO NOT RECORD**

IN TESTIMONY WHEREOF, I hereunto set my hand and seal this 18 day of Feb, 2004

Harold W. Peters

Harold W. Peters

STATE OF California }  
COUNTY OF Contra Costa } ss.

On 2-18-04, before me, Trisha N. Brazier, personally appeared Harold W. Peters personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument, and acknowledged to me that he executed the same in his authorized capacity(ies), and that by his signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

[SEAL]



Trisha N. Brazier  
Notary Signature

IN TESTIMONY WHEREOF, I hereunto set my hand and seal this 18 day of Feb, 2004.

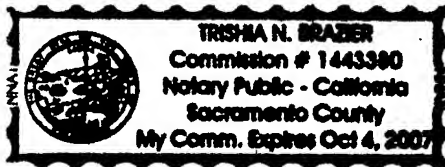
Harold H. Handley, Jr.  
Harold H. Handley, Jr.

STATE OF California }  
COUNTY OF Contra Costa } ss.

On 2-18-04, before me, Trisha N. Brazier, personally appeared Harold H. Handley, Jr. personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument, and acknowledged to me that he executed the same in his authorized capacity(ies), and that by his signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

[SEAL]



Trisha N. Brazier  
Notary Signature

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**COPY  
DO NOT RECORD**